

HOUSE BILL 3359

By Pinion

AN ACT to amend Tennessee Code Annotated, Section 6-36-101; Section 6-36-103 and Section 6-36-106, to authorize expansion of the board of education of any city school system within any county having a population of not less than thirty-one thousand five hundred (31,500) nor more than thirty-one thousand eight hundred (31,800), according to the 1990 federal census or any subsequent federal census.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 6-36-101(a), is amended by designating the current language as subdivision "(1)" and by adding the following new language, to be designated as subdivision "(2)":

(2) By ordinance adopted by a two-thirds (2/3) vote of the entire membership of the city council, the board of education may be increased to seven (7) qualified voters of the city, meeting the requirements of §§ 6-31-105 and 6-31-112 of this charter. The two (2) additional board members authorized by this subdivision shall be elected at-large and shall be voted on by the electors in all voting precincts of the city. The provisions of this subdivision shall only apply within counties having a population of not less than thirty-one thousand five hundred (31,500) nor more than thirty-one thousand eight hundred (31,800), according to the 1990 federal census or any subsequent federal census.

SECTION 2. Tennessee Code Annotated, Section 6-36-103, is amended by inserting the following language as a new subsection immediately after subsection (b) and by redesignating the subsequent subsection accordingly:

(_) For any board of education increased to seven (7) members pursuant to § 6-36-101(a)(2), the initial election of the additional two (2) members shall be held at the first November general election occurring more than forty-five (45) days following adoption of the ordinance required to expand board membership. To ensure staggered terms, the at-large candidate receiving the highest number of votes shall be declared elected for a four-year term beginning at twelve o'clock noon (12:00) on the second Wednesday next following the election; and the at-large candidate receiving the second highest number of votes shall be declared elected for a two-year term beginning at the same date and time.

SECTION 3. Tennessee Code Annotated, Section 6-36-106, is amended by deleting subsection (b) and by substituting instead the following:

(b) A majority of the board constitutes a quorum and the affirmative vote of at least three (3) members shall be required to approve any action; however, if the board duly consists of seven (7) members, then an affirmative vote of at least four (4) members shall be required to approve any action.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.